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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,330	09/11/2006	Erwin Knott	H0075.7011US00	5046
23628 7590 08/19/2008 WOLF GREENFIELD & SACKS, P.C. 600 ATLANTIC AVENUE BOSTON, MA 02210-2206				
EXAMINER LAM, VINH TANG				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/566,330

Applicant(s)

KNOTT ET AL.

Examiner

VINH T. LAM

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-15 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 27 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 05/01/2006
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims **1-7, 9-12, and 15** are rejected under 35 U.S.C. 102(e) as being anticipated by **Willmore (US Patent Application Publication 2003/0179156)**.

Regarding Claim **1** and **15**, **Willmore** teaches a display and control device and a display and control unit respectively for medical equipment including units connectable to an electric bus, the display and control device comprising:

at least one display/control unit (Col. 3, [0045], FIG. 1) including:

a display device having a plurality of activatable pixels (Col. 3, [0045], FIG. 1),

a display activation device which activates the pixels of the display device on the basis of data supplied (Col. 4, [0055], FIG. 7),

a transparent input device disposed on a surface of the display device that is to face an observer (Col. 3, [0051], FIG. 3a),

an input evaluation device which evaluates inputs made via the input device (Col. 3, [0053], FIG. 5), and

unit connector with which the display activation device and the input evaluation device are connected and by which the display/control unit can be connected to an electric bus (Col. 4, [0055], FIG. 7), and

a base unit (Col. 3, [0048], FIG. 1), including:

an electric bus for the communication of units connected thereto (Col. 4, [0055], FIG. 7),

a plurality of connector devices at which the display/control unit can be connected to the electric bus via the unit connector (Col. 4, [0055], FIG. 7), and

a configuration device which is connected with the electric bus and which, after connection of the display/control unit to the electric bus, transmits configuration data determining display contents and input areas of the display/control unit via the electric bus (Col. 4, [0055], FIG. 7).

Regarding Claim 2, the display and control device according to claim 1, wherein for each of the connector devices of the base unit, it is determined in the configuration device which configuration data are transmitted to a display/control unit connected to a respective connector device (Col. 4, [0060], FIG. 7),.

Regarding Claim **3**, the display and control device according to claim 1, wherein in the configuration device the configuration data transmitted to connected display/control units are determined depending on the sequence in which the display/control units are connected to the base unit (Col. **4**, [0055], FIG. 7).

Regarding Claim **4**, the display and control device according to claim 1, wherein several areas to display contents and to receive inputs are logically defined in the display device of the display/control unit (Col. **4**, [0055], [0062], FIG. 7).

Regarding Claim **5**, the display and control device according to claim 4, wherein several of the logical areas are combinable to form a connected area (Col. **4**, [0055], FIG. 7).

Regarding Claim **6**, the display and control device according to claim 1, wherein the at least one display/control unit includes several display/control devices that are constructed identically (Col. **4**, [0055], FIG. 7).

Regarding Claim **7**, the display and control device according to claim 1, wherein the display/control unit is fixed to the base unit by way of the connection between the unit connector and the connector device (Col. **4**, [0053], FIG. 5).

Regarding Claim **9**, the display and control device according to claim 1, wherein data for displaying digits, numbers and map pixels are stored in the display activation device of the display/control unit (Col. **4**, [0055], FIG. 7).

Regarding Claim **10**, the display and control device according to claim 1, wherein the display/control unit and the configuration device are arranged such that data for

display contents can be transmitted to the display/control unit by the configuration device and stored in the display/control unit (Col. 4, [0055], FIG. 7).

Regarding Claim 11, the display and control device according to claim 10, wherein the display/control unit informs the configuration device of which data for display contents are stored in the display activation device (Col. 4, [0055], FIG. 7).

Regarding Claim 12, the display and control device according to claim 1, wherein the display/control unit includes a bus communication device via which the display activation device and the input evaluation device are connected to the bus (Col. 4, [0055], FIG. 7).

Regarding Claim 15, a display/control unit adapted for use in a display and control device according to claim 1, is rejected based on the same rationale as that of claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Willmore (US Patent Application Publication 2003/0179156)** in view of **Zerhusen et al. (US Patent Application Publication No. 2003/0052787)**.

Regarding Claim 8, **Willmore** teaches the display and control device according to claim 7.

However, **Willmore** does not teach that the display/control unit is fixed on the base unit via additional fixing elements.

In the same field of endeavor, **Zerhusen et al.** teach that the display/control unit is fixed on the base unit via additional fixing elements (Col. 3, [0073], FIG. 4) for the benefit of having a mechanical means to attach the display/control unit to the base unit.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate **Willmore** teaching of the display/control unit with base unit to **Zerhusen et al.** teaching of additional fixing elements in order to benefit of having a mechanical means to attach the display/control unit to the base unit.

3. Claim 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Willmore (US Patent Application Publication 2003/0179156)** in view of **Suga et al. (US Patent No. 4800376)**.

Regarding Claim 13, **Willmore** teaches the display and control device according to claim 1.

However, **Willmore** does not teach that no further control elements are provided.

In the same field of endeavor, **Suga et al.** teach that no further control elements are provided (FIG. 3) for the benefit of reducing parts, cost, and manufacturing processes by having the display/control and the base unit with no further control elements.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to unite **Willmore** teaching of the display/control, base units, and other interface devices to **Suga et al.** teaching of the display/control and the base unit with no further control elements for the benefit of reducing parts, cost, and

manufacturing processes by having the display/control and the base unit with no further control elements.

Regarding Claim **14**, the display and control device according to claim 1, wherein apart from an on/off switch, no further control elements are provided. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify **Suga et al.** teaching (in claim13) by adding an on/off switch for the benefit of controlling the device and power saving.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are: DuBrucq (US Patent No. 5111103) and Falkvall et al. (US Patent No. 6143181).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH T. LAM whose telephone number is (571)270-3704. The examiner can normally be reached on M-F (7:30-5:00) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571 272 1206. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VTL/

/Amare Mengistu/
Supervisory Patent Examiner, Art Unit 2629